

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ZOSTAVAX (ZOSTER VACCINE	:	MDL NO. 2848
LIVE) PRODUCTS LIABILITY	:	
LITIGATION	:	CIVIL ACTION NO. 18-md-2848
	:	
<hr/>		
THIS DOCUMENT RELATES TO:	:	
	:	
DAVID R. ELMEGREEN as Trustee of	:	
THE SUE A. ELMEGREEN TRUST v.	:	
MERCK & CO., INC., et al.	:	
Civil Action No. 17-2044	:	
	:	
<hr/>		

PRETRIAL ORDER NO. 461

AND NOW, this 14th day of December, 2022, for the reasons set forth in the foregoing Memorandum, it is hereby ORDERED that:

(1) the judgment of the Clerk awarding costs in favor of Merck & Co., Inc. and Merck, Sharp & Dohme Corp.<sup>1</sup> ("Merck") and against plaintiff David R. Elmegreen as Trustee of The Sue A. Elmegreen Trust (Doc. # 75) is AFFIRMED IN PART AND REVERSED IN PART; and

(2) costs are taxed in favor of Merck and against David R. Elmegreen as Trustee of The Sue A. Elmegreen Trust in the amount of \$13,627.36.

BY THE COURT:

/s/ Harvey Bartle III

\_\_\_\_\_  
J.

\_\_\_\_\_  
1. Defendant Merck Sharp & Dohme Corp. is now known as Merck Sharp & Dohme LLC.